

IN THE MATTER OF THE VACATION)  
OF NE 163RD OR PORTION THERE-)  
OF, PETITIONED FOR BY RICHARD)  
L. HEGGEN, AND OTHERS. )

## ORDER OF VACATION

NO. V-1359

IN THE MATTER OF THE VACATION OF A PORTION OF NE 163RD STREET, petitioned for by Richard L. Heggen, and others, the Council finds as follows:

FIRST: That the petition for vacation was filed on the 17th day of April, 1969, and duly referred to the Department of Public Works to make an examination and report in writing thereon.

SECOND: That on the 26th day of June, 1969, the Acting Director, Department of Public Works filed his report in writing and on the 30th day of June, 1969, the County Council fixed the 11th day of August, 1969, as the date of hearing said report.

THIRD: That the report and recommendation of the Acting Director, Department of Public Works on said petition is as follows:

"We have investigated the above-named petition and report subject right of way not improved for travel. We have contacted the several utilities serving this area and are advised that easements are not required. The Planning Department has also been notified of the petition and reports that favorable action thereon would not be in conflict with the principles and purposes of the Comprehensive Plan and the specific plans in the vicinity of the proposed vacation. The home of the petitioner encroaches approximately 14 feet into the dedicated right of way. We are advised that the house was constructed about 35 years ago and the various occupants through the years have been unaware of this fact until a recent survey. We concur with the comment of the Planning Department. We consider subject right of way useless as part of the County road system and believe the public would be benefited by the return of this unused area to the public tax rolls. We recommend that a date of hearing be set and the vacation be granted."

FOURTH: That upon such hearing, proof of publication and of posting notice of such hearing having been made by affidavits filed with the Clerk of the County Council, the Council having proceeded to hear said petition for vacation and objections thereto, the hearing having been concluded and the Council having considered the same, finds:

1. That the road sought to be vacated will not be useful as a part of the general road system.
2. That the Public will be benefited by the vacation of said road or portion thereof hereinafter mentioned, now, therefore, it is hereby

ORDERED that the following described road, or portion thereof, be and the same is hereby vacated in accordance with the recommendation of the Acting Director, Department of Public Works:

The North  $\frac{1}{2}$  of NE 163rd Street lying easterly of the east right of way margin of 156th Ave. NE and westerly of the west right of way margin of 158th Ave. NE; said street also lies between Tracts 14 and 15 of the plat of Bronson Addition to Kirkland as recorded in Vol. 6 of Plats, page 96, Records of King County, Washington.

PASSED this 17<sup>th</sup> day of October, 1969.

COUNTY COUNCIL  
KING COUNTY, WASHINGTON

John T. O'Brien  
Chairman

ATTEST:

Clerk of the Council

Ralph R. Stender  
Clerk

A P P R O V E D

Date October 20, 1969

John D. Spellman  
JOHN D. SPELLMAN  
County Executive

ORDINANCE READINGS

1st 6-30-69

2nd 8-11-69

3rd 10-17-69

Effective Date, .....